

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 10/527,241  
Applicant : Alexander Boldin  
Filing Date : March 8, 2005  
Title : Computer Input Device with Ergonomically Formed  
and Positioned Actuators  
  
TC/A.U. : 2629  
Examiner : Dennis P. Joseph  
  
Docket No. : BOLDIN/102/PC/US  
Customer No. : 002543

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Commissioner for Patents  
United States Patent and  
Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**RESPONSE AFTER FINAL OFFICE ACTION**

In response to the Final Office Action dated October 12, 2010, Applicant requests entry and consideration of the following amendment and remarks:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 16 of this paper.

This listing of claims will replace all prior versions, and listings, of claims in the application:

***Listing of Claims:***

1. (Currently amended) A mouse for a computer system, said mouse capable of entering commands into a computer based on the location of a cursor which can be placed on a computer screen, when moving said mouse across a working surface, and being actuatable by a user to generate a signal to said computer, said mouse comprising:

a casing having a bottom part resting on the working surface and an upper part, said casing longitudinally extending from a front end to a rear end and having transversely spaced sides, which are spaced so that said casing is positioned between distal phalanxes of a user's ring and little fingers, and a distal phalanx of a user's thumb, when a user's lower palm, user's ring and little fingertips, and a side of the distal phalanx of the user's thumb are resting on the working surface without gripping said mouse at a naturally relaxed curled fingers and hand position;

a primary button disposed at an upper front portion of said casing so as to be actuated by a user's index finger, said primary button having an upper surface, which is angled to the front end of said casing; and

a primary fingertip receptacle at least partially extending upwardly from said angled upper surface of said primary button and forming a mould around a

user's index fingertip, when placed on said angled upper surface of said primary button slightly bent, said mould being tapered upwardly from said angled upper surface of said button at a height, which provides a moulded contact surface with said user's index fingertip, which allows the user to move securely said mouse in a forward or backward direction without actuating said primary button by said index fingertip, when moving said index fingertip forward or backward against said moulded contact surface by stretching or bending said index finger in order to effect vertical movement of a pointer on a computer screen in up- or downward direction, respectively, said primary fingertip receptacle enabling a user to effect horizontal movement of a pointer on a computer screen without the use of hand or arm movement of the user, when turning said casing around its axis in said receptacle, when pushing by a thumb or a little finger of the user against a respective contact area on a respective side of said casing, when operating said mouse, said primary button being actuated without actuating mouse movement by a force applied ~~tangential to~~ along a tangent, which touches said angled upper surface of said primary button at a touching point of said fingertip with said upper surface of said button, by said index fingertip, when stroking by said index fingertip said angled upper surface of said primary button in a combined down-forward motion against said moulded contact surface.

2. (Currently amended) The mouse of claim 1 further comprising:

a secondary button disposed transversely of said primary button at an upper front portion of said casing so as to be actuated by a user's middle finger, said secondary button having an upper surface, which is angled to the front end of said casing;

a secondary fingertip receptacle at least partially extending upwardly from said angled upper surface of said secondary button and forming a mould around a user's middle fingertip, when placed on said angled upper surface of said secondary button slightly bent, said mould being tapered upwardly from said angled upper surface of said button at a height, which provides a moulded contact surface with said user's middle fingertip, which allows the user to move securely said mouse in a forward or backward direction without actuating said secondary button by said middle fingertip, when moving said middle fingertip forward or backward against said moulded contact surface by stretching or bending said middle finger in order to effect vertical movement of a pointer on a computer screen in up- or downward direction, respectively, said secondary fingertip receptacle enabling a user to effect horizontal movement of a pointer on a computer screen without the use of hand or arm movement of the user, when turning said casing around its axis in said receptacle, when pushing by a thumb or a little finger of the user against a respective contact area on a respective side of said casing, when operating said mouse, said secondary button being actuated without actuating mouse movement by a force applied ~~tangential to~~ along a tangent, which touches said angled upper surface of said secondary

button at a touching point of said fingertip with said upper surface of said button,  
by said middle fingertip, when stroking by said middle fingertip said angled upper  
surface of said secondary button in a combined down-forward motion against  
said moulded contact surface; and

a form of a rear part of said casing providing sufficient clearance between  
an upper surface and a rear surface of said casing, and a user's palm plane, and  
said user's index and middle fingers being placed in said respective receptacle  
slightly bent, and a lower palm resting on said working surface, so that said  
upper surface and said rear surface of said casing do not interfere with said  
user's palm plane, said lower palm resting on said working surface, and said  
user's index and middle fingers, when the user manipulates said mouse, said  
form of said rear part of said casing enabling a user to shift said mouse from a  
neutral position of said user's index and middle fingers, when placed in said  
respective receptacle slightly bent, by bending said user's index and middle  
fingers further into a pocket formed by the user's hand, when a user's lower  
palm, user's ring and little fingertips, and a side of the distal phalanx of the user's  
thumb are resting on the working surface without gripping or pinching said mouse  
at a naturally relaxed curled fingers and hand position, so that said mouse does  
not interfere with said user's palm plane and said user's lower palm resting on  
said working surface.

3. (Original) The mouse of claim 2 further comprising a wheel button disposed between the primary receptacle and the secondary receptacle, said wheel button accessible by at least one of the user's finger when a user's index finger and a user's middle finger are placed in the respective receptacle of the primary and secondary buttons.

4. (Original) The mouse of claim 2, wherein the primary and secondary receptacles are located on the primary button and the secondary button, respectively, so that a gap between the user's index finger and the user's middle finger being placed in the respective receptacles has a spacing distance, which allows a wheel button to be positioned between them.

5. (Original) The mouse of claim 3, wherein each said receptacle has a front portion and a center of said wheel is disposed rearwardly from the front portions of said receptacles.

6. (Previously Submitted) The mouse of claim 1, wherein said primary receptacle is formed from a moulded component comprising a pad and a rounded section, which tapers upwardly from the pad and is symmetric about a medial plane.

7. (Previously Submitted) The mouse of claim 2, wherein said secondary receptacle is formed from a moulded component comprising a pad and a rounded section, which tapers upwardly from the pad and is symmetric about a medial plane.

8. (Previously Submitted) The mouse of claim 4, wherein the user's index and middle fingertips being placed in respective receptacles are elevated from the working surface at a height, which is reduced and defined by an outside diameter of said wheel.

9. (Previously Submitted) The mouse of claim 1, wherein the sides of said casing each have a concave shape, which define a user's thumb, and a user's ring and little fingertips pinching areas.

10. (Previously Submitted) The mouse of claim 9, wherein both sides of said casing in a user's thumb and a user's ring fingertip pinching areas are vertical to the working surface over which the mouse moves.

11. (Original) The mouse of claim 9, wherein a user's side of the distal phalanx of the thumb and a user's ring and little fingertips being placed on the respective pinching areas register with the working surface over which the mouse moves when a user manipulates the mouse.

12. (Previously Submitted) The mouse of claim 2, wherein a space exists between the user's palm plane, and the user's index and middle fingers, and an upper surface of the rear part of the casing when the user shifts the mouse by stretching or bending the user's index and middle fingers placed in the respective receptacles.

13. (Previously Submitted) The mouse of claim 2, wherein a length of the rear part of the casing measured from the front edge of said primary and secondary receptacles allows a user to shift the mouse from a neutral position of the user's index and middle fingers, when placed in said respective receptacle slightly bent, by bending the user's index and middle fingers further in a pocket formed by the user's hand, when a user's lower palm, user's ring and little fingertips, and a side of the distal phalanx of the user's thumb are resting on the working surface without gripping or pinching said mouse at a naturally relaxed curled fingers and hand position, so that said mouse does not interfere with the user's lower palm resting on said working surface.

14. (Previously Submitted) The mouse of claim 1, wherein a moulded contact surface is at least partially defined by at least one additional button having a user's index finger contact area and disposed rearwardly from said primary receptacle so as to be capable of being actuated by bending the user's index



finger positioned in said primary receptacle and simultaneously pinching the mouse between a user's thumb and a user's ring and/or little fingertips.

15. (Previously Submitted) The mouse of claim 14, wherein a contact portion of the primary receptacle and the index finger contact area of the additional button together form a contact shape that conforms to the shape of the distal phalanx of the user's index finger.

16. (Previously Submitted) The mouse of claim 15, wherein a surface of the contact portion of the primary receptacle is level with a surface of the index finger contact area of the additional button at all points along a boundary between the primary receptacle and the index finger contact area of the additional button.

17. (Original) The mouse of claim 14, wherein an interior portion of the distal phalange of the user's index finger contacts both a front portion of said primary receptacle and a portion of the contact area of the additional button when the user's index fingertip is positioned in said primary receptacle.

18. (Original) The mouse of claim 14, wherein said additional button is actuated by bending the index finger and simultaneously pinching the sides of the mouse between the user's thumb and the user's ring and/or little fingertips.

19. (Previously Submitted) The mouse of claim 2, wherein a moulded contact surface is at least partially defined by a second additional button having a middle finger contact area and disposed rearwardly from said secondary receptacle so as to be capable of being actuated by bending the user's middle finger positioned in said secondary receptacle and simultaneously pinching the mouse between a user's thumb and a user's ring and/or little fingertips.

20. (Previously Submitted) The mouse of claim 19, wherein a contact portion of the secondary receptacle and the middle finger contact area of the second additional button together form a contact shape that conforms to the shape of the distal phalanx of the user's middle finger.

21. (Previously Submitted) The mouse of claim 20, wherein a surface of the contact portion of the secondary receptacle is level with a surface of the middle finger contact area of the second additional button at all points along a boundary between the secondary receptacle and the middle finger contact area of the second additional button.

22. (Original) The mouse of claim 19, wherein an interior portion of the distal phalanx of the user's middle finger contacts both a front portion of said secondary receptacle and a portion of the contact area of the second additional

button when the user's middle fingertip is positioned in said secondary receptacle.

23. (Original) The mouse of claim 19, wherein said second additional button is actuated by bending the middle finger and simultaneously pinching the sides of the mouse between the user's thumb and a user's ring and/or little fingertips.

24. (Previously Submitted) The mouse of claim 2, wherein said primary and secondary buttons each are parts of ends of levers, which longitudinally extend from a common plane of said casing on which other ends of the levers are firmly fixed.

25. (Previously Submitted) The mouse of claim 19, wherein said additional buttons each are supported by planes arranged on respective sides of said casing parallel to said common plane of said casing, said additional buttons each are capable of sliding on a respective plane and thereby allowing the user to actuate said additional buttons each by bending said user's index or middle finger positioned in respective receptacle and simultaneously pinching said mouse between said user's thumb and said user's ring and/or little fingertips.

26. (Canceled)

27. (Previously Submitted) The mouse of claim 24, wherein said casing has a cross panel in relation to said sides and said common plane of said casing is inclined toward said front end relative to said cross panel.

28. (Previously Submitted) The mouse of claim 1 further comprising a mouse sensing system wherein a sensor thereof is located on said bottom part rearwardly from said primary receptacle along a central longitudinal axis of said casing at a distance, which allows the user to effect horizontal cursor movement on a computer screen, when turning said casing around its axis in said primary receptacle, when pushing by the user's thumb or little finger against a respective contact area on a respective side of said casing.

29. (Currently amended) A computer mouse for a computer system, said mouse being capable of entering commands into a computer based on the location of a cursor which can be placed on a computer screen, when moving said mouse across a working surface, wherein said mouse has a casing resting on said working surface, said casing having at least one button disposed at an upper front portion thereof so as to be actuated by a user's finger to generate a signal to said computer, said mouse comprising:

a moulded structure mounted to an angled upper surface of said button, wherein said moulded structure at least partially extends upwardly from said angled upper surface of said button and forms a mould around a user's fingertip,

when placed on said angled upper surface of said button slightly bent, said mould being tapered upwardly from said angled upper surface of said button at a height, which provides a moulded contact surface with said user's fingertip, which allows the user to move securely said mouse in a forward or backward direction without actuating said button by said index fingertip, when moving said index fingertip forward or backward against said moulded contact surface by stretching or bending said finger in order to effect vertical movement of a pointer on a computer screen in up- or downward direction, respectively, said moulded structure enabling a user to effect horizontal movement of a pointer on a computer screen without the use of the hand or arm movement of the user, when turning said casing around its axis in said mould, when pushing by a thumb or a little finger of the user against a respective contact area on a respective side of said casing, when operating said mouse, said button being actuated without actuating mouse movement by a force applied ~~tangential to~~ along a tangent, which touches said angled upper surface of said button at a touching point of said fingertip with said upper surface of said button, by said fingertip, when stroking by said index fingertip said angled upper surface of said button in a combined down-forward motion against said moulded contact surface.

30. (Currently amended) The mouse of claim 29, wherein said casing has two buttons disposed transversely of each other at an upper front portion of said

casing so as to be actuated by a user's index or middle finger, said mouse further comprising:

a moulded structure mounted to an angled upper surface of each button, wherein one moulded structure at least partially extends upwardly from an angled upper surface of a primary button and forms a mould around a user's index fingertip, when placed on said angled upper surface of said primary button slightly bent, said mould being tapered upwardly from said angled upper surface of said button at a height, which provides a moulded contact surface with said user's index fingertip and a second moulded structure at least partially extends upwardly from an angled upper surface of a secondary button and forms a mould around a user's middle fingertip, when placed on said angled upper surface of said secondary button slightly bent, said mould being tapered upwardly from said angled upper surface of said button at a height, which provides a moulded contact surface with said user's middle fingertip, said moulded contact surfaces each allowing the user to move securely said mouse in a forward or backward direction without actuating said buttons each by said index or middle fingertip, when moving said index or middle fingertip forward or backward against said respective moulded contact surface by stretching or bending said index or middle finger in order to effect vertical movement of a pointer on a computer screen in up- or downward direction, respectively, said moulded structure enabling a user to effect horizontal movement of a pointer on a computer screen without the use of hand or arm movement of the user, when turning said casing around its axis in

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Amendment Dated: November 18, 2010  
Reply to Office Action of: October 12, 2010

said mould, when pushing by user's thumb or little finger against a respective contact area on a respective side of said casing, when operating said mouse, said buttons each being actuated without actuating mouse movement by a force applied ~~tangential to~~ along a tangent, which touches said angled upper surface of said button at a touching point of said fingertip with said upper surface of said button, by one of said fingertip, when stroking by said respective fingertip said respective angled upper surface of said respective button in a combined down-forward motion against said respective moulded contact surface.

### **REMARKS/ARGUMENTS**

Applicant has amended claims 1, 2, 29, and 30 of the claims in issue considered by the Examiner in the Final Office Action dated October 12, 2010. Upon entry of the response and of the amendments, claims 1-25 and 27-30 are pending for reconsideration by the Examiner.

Entry of this Response is proper since no additional search is required and the remarks are solely directed to the positions taken by the Examiner as to the meaning and proper interpretation of the claims of record and the cited Adler reference.

Applicant has amended Claims 1, 2, 29, and 30 to better define the term ***“tangential or tangent,”*** correspondingly, to better define the direction of the tangential force applied against the mould by button actuating.

As for the Examiner’s notes given on Page 30 in the current Office Acton that *“...several of the arguments for Claim 1 are actually not found in Claim 29...”*, the Examiner will appreciate that in Claim 29 Applicant claims a moulded structure mounted to the button of the **conventional** mouse; therefore, the limitations of Claim 1 concerning to the form and structure of the casing and buttons are irrelevant in Claim 29.

Applicant believes that Claim 29 contents all limitations of Claim 1 concerning to the moulded structure and manner of mouse operating, which are given in the same wording used in Claim 1.



The Examiner has repeatedly rejected Claims 1-13, 24 and 27 -30 under 35 U.S.C. § 103(a) as being obvious by Adler (US Patent 6,256,015 B1). Applicant respectfully traverses the rejections.

Applicant continues to assert that claims 1, 2, and 29 were patentable over the cited Adler reference for the reason that the Examiner has **not** properly applied the legal requirements for the rejections under 35 U.S.C. § 103.

In the current Office Action, on Page 27 the Examiner states:

*"...examiner can indeed actuate a mouse button by gently stroking ... with a tangential movement to the surface of a button. ... a tangential force (reading this as the **mathematical term, which is one point along a curved surface**) can be applied by touching and using a down-forward action at this tangential point, and as a result, the button can be actuated. This force, in examiner's opinion, is a gentle one, as claimed."* (Emphases added)

The dictionary definition for the term "**tangent**" was once given by Applicant in the Response dated January 18, 2010, however, as seen, is freely interpreted by the Examiner in the current Office Action, it is respectfully submitted.

Therefore, the Examiner will appreciate the dictionary definition for the term "**tangent**," repeatedly, and respectfully submitted once again as follows:

**"tangent 1** (geometry) straight line that touches the outside of a curve but does not cross it. **2** (mathematics) (in right-angled triangle) ratio of the sides opposite and adjacent to a given angle" (please see the Oxford Dictionary)

When reading correctly the dictionary definition given for the term **“tangent”**, the Examiner will appreciate that by a **tangential** fingertip movement **directed along a tangent** (reading this as the geometrical term, which is a straight **line**, which touches the upper surface of the button at **one** point thereof, but does **not** cross any curve of the convex-convex surface of the button,) i.e. when moving it against **nothing**, a force needed for button actuating **cannot** be **physically** applied to the button; and that a force applied to Adler’s cover, which is attached to the casing, **cannot physically actuate** the button.

In contrast to Adler, by the **same tangential movement** of the fingertip, when placed into Applicant’s **mould**, the button will be actuated by the tangential force applied to the button through the mould which is attached to the button and **fitted tightly** around the fingertip.

Consequently, when reading correctly the dictionary definition given for the term **“tangent,”** the Examiner will appreciate that Adler does **not** teach, suggest, or motivate any structure, which could allow button actuating by a **tangential** fingertip movement directed along the straight line that touches the upper surface of the button but does not cross it.

Second, contrary to the Examiner’s statements given several times in the current Office Action, there is **no reasonable** expectation of success in actuating the button of the conventional mouse, which is taught in the Adler reference, by the **tangential** fingertip movement directed along a straight line, which touches

the upper surface of the button but does not cross it, because this fingertip **movement against nothing will affect nothing.**

Finally, Adler's reference does **not** teach, suggest, or motivate a **structural limitation**, like a mould attached to the button, which could provide one of the fundamental functions of the mouse, namely, button actuating **in the way claimed by Applicant.**

With respect to the MPEP §2143 Applicant believes that **none** of the criteria to establish *a prima facie* case of obviousness is met by the Examiner in the rejections and cited Adler's reference; therefore, the Examiner's rejections of Claims 1, 2, and 29, it is respectfully submitted, are improper.

Further, in a view of the MPEP §2143.01 (IV) given as follows:

*"Rejections on obviousness **cannot** be sustained by **mere** conclusory statements; instead, there **must** be some articulated reasoning with some rational underpinning to support the **legal** conclusion of obviousness."* KSR, 550 U.S. at \_\_\_, 82 USPQ2d at 1396 quoting *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006)." (Emphases added)

Applicant would appreciate if the Examiner could articulate *some reasoning with some rational underpinning to support the **legal** conclusion of obviousness, instead, merely, stating "...examiner is able to execute the claim limitations by using a reasonable degree of force, demonstrating success."*

The Examiner will appreciate that Applicant's claim language does **not** content any limitations of amount/degree of applied forces but rather explicitly

describes the directions of forces applied against the mould by the fingertip movements, **forward** by mouse **movement actuating** and **tangentially** by **button actuating**.

The Examiner will also appreciate that a button of a conventional mouse **cannot** be **physically** actuated by a **tangential** fingertip movement **directed along** the straight **line**, which touches the upper surface of the button but does **not** cross it, because this fingertip **movement against nothing will affect nothing**.

As for the differences in the interpretations that the Examiner and Applicant are taking by using of Adler's figures and reference; the Examiner notes in the current Office Action on Page 28 *"Examiner feels Applicant is not giving weight to examiner's interpretation. As long as it is a valid and reasonable interpretation, a reference can still be applied."*

Through the years of the prosecution of the case Applicant has been submitting the annotated fragmentary illustration of Adler's Figs. 4 to demonstrate physical and kinematical relationships between Adler's cover, and a conventional mouse/button, and a user's finger, when operating the mouse by a user.

In Adler's Figure 1, *which have been noted several times in each rejection* by the Examiner, and which shows the empty cover and mouse in the explosive view, without showing in any form a user's finger, these physical and kinematical relationships **cannot** be seen by one of ordinary skill.

In the illustration submitted by Applicant, as well as in Adler's Figure 2, clearly **cannot** be seen any structure to resist the fingertip movements directed forward or tangentially by operating the mouse taught in the Adler disclosure.

Nevertheless, the Examiner continues to consider his interpretation of Adler's Figure 1 as *a valid and reasonable interpretation* of the Adler reference to apply in the rejections with the statement given in the current Office Action, on Page 28 as follows:

*"Please see Adler's Figure 1, for example, it is **clear** that the fingertip can be moved **tangentially** in the aperture to **move** the mouse and to apply a gentle force in a down forward motion to **actuate** the button. ... actually >mouse< movement could still be actuated, as well as button actuation, **without the resistive endpoint of aperture, simply** by moving in the **down forward direction.**"* (Emphases added).

The Examiner will appreciate that these kinds of differences between the Examiner's and Applicant's interpretations are to being regulated by the MPEP §2144.03 (c) relevant on this and given as follows:

*"If applicant challenges a factual assertion as not properly officially noticed or not properly based upon common knowledge, the **examiner must support the finding with adequate evidence.**"*

*"If the examiner is relying on personal knowledge to support the finding of what is known in the art, the **examiner must provide an affidavit or***

***declaration*** setting forth specific factual statements and explanation to support the finding. See 37 CFR 1.104(d)(2).” (Emphases added)

In a view of the MPEP §2144.03 (c) Applicant would appreciate if the Examiner could ***support the finding with adequate evidence*** based upon common knowledge, and the principles of geometry, physic, kinematic, etc, and common language used in the dictionary.

Applicant would appreciate if the Examiner could provide the required **reasonable** support for the Examiner’s statement “*that the fingertip can be moved **tangentially** in the aperture to **move** the mouse >forward < ...>mouse movement< could still be actuated ... **without the resistive endpoint of aperture, simply** by moving >the fingertip< in the **down forward direction.**”*

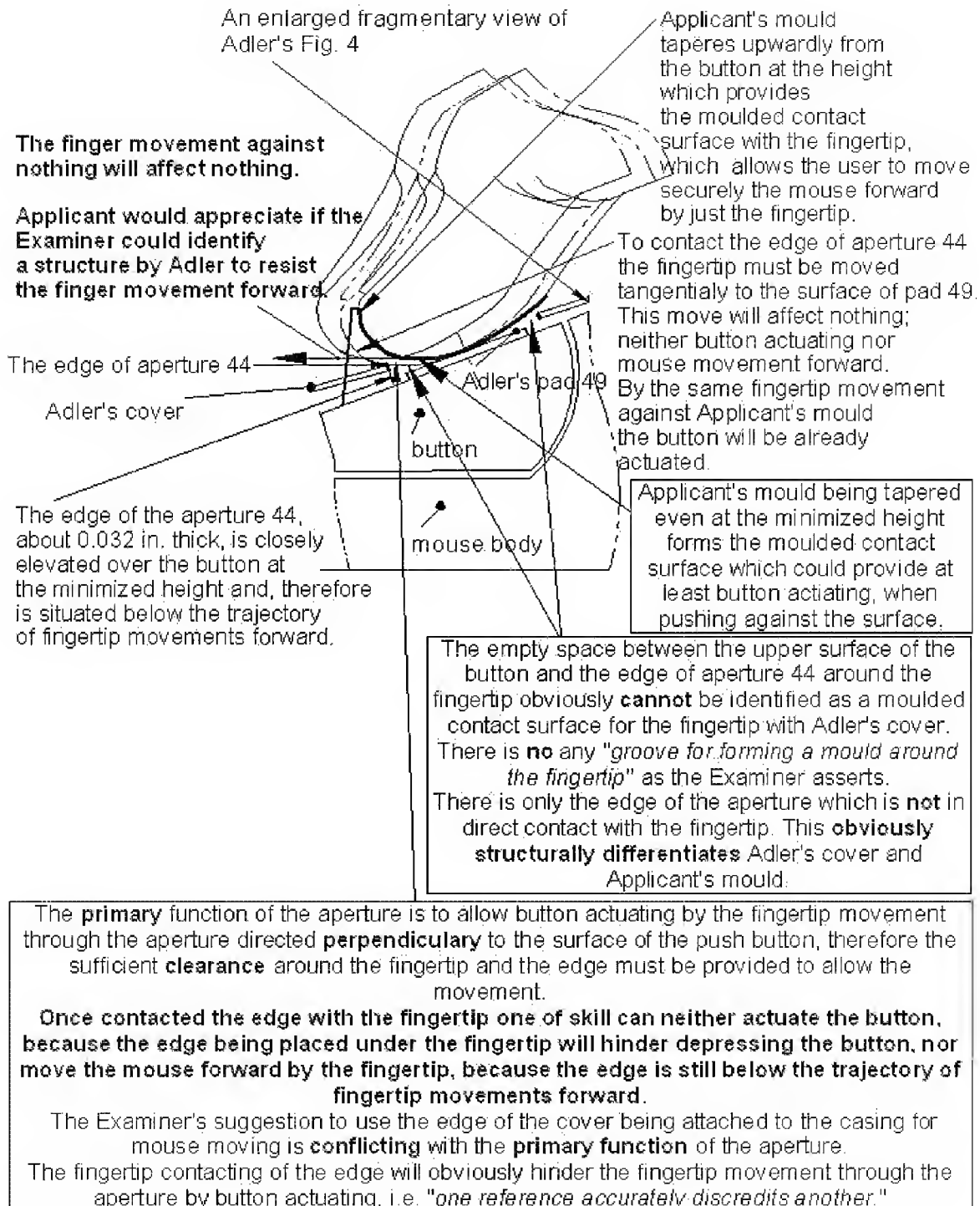
Applicant has noted the Examiner’s note given on Page 28 that “Adler’s cover/mouse tapers downwardly in the same general way that the present invention’s does.”

The Examiner will appreciate that by the **tangential** fingertip movement or ***simply by moving*** the fingertip in the **down forward direction** over Adler’s cover/button, which tapers downwardly, a force needed for mouse **forward** moving **cannot** be physically applied to the **angled forward** surface of the button/cover in order to move the mouse forward **just by the fingertip movement forward, as claimed by Applicant.**

Applicant continues to assert that claims 1, 2, and 29 were patentable over the cited Adler reference for the reason that the Adler reference does **not**

disclose, teach, suggest, or motivate any structure which could enable the user to move securely the mouse **just by the fingertip movement forward**.

To support Applicant's assertion, and **clearly** demonstrate the **structural differences** between Adler's cover and Applicant's mould, as well as, the physical and kinematical relationships between Adler's cover, and a conventional mouse/button, and a user's finger, when operating the mouse by a user, Applicant repeatedly submits below an annotated fragmentary illustration of Adler's Drawings, Figs. 4, further annotated with an inserted contour of the finger, and further annotated with an inserted contour of the Applicant's mould.





The above submitted illustration **clearly** shows that because of the small **thickness** of the edge (about 0,032 in. thick), and the **minimized height**, at which the edge is **closely** elevated over the **angled** upper surface button, and the **clearance**, which **must** be provided around the fingertip, the **edge** is **obviously** situated **below** the trajectory of the fingertip movements forward.

Thus, as one of ordinary skill could see in the above submitted illustration, there is **no** any structure to resist fingertip movements **forward** in the Adler disclosure.

In a view of the MPEP §2144.03 (c) and the above submitted illustration Applicant would appreciate if the Examiner could provide the required reasonable support for the Examiner's rejections given through the prosecution of the case and repeatedly in the current rejections on Pages 5 and 6 as follows:

*"...the apertures 44/144 ... can also be used for >mouse< movement without the use of the hand or arm and can be done **just by moving** the two **fingers** in the grooves. ... **Looking at this figure >1<** further, the fingertips, which are placed inside the apertures 44, can **move** the **mouse** in direction by applying a force, inside the groove area, and in generally a **parallel direction** to the surface on which the mouse is placed on and this includes **moving it** in a **forward** or backward direction." (Emphases added)*

When one of ordinary skill might follow the logic of the Examiner's rejections and statement given in the current Office Action, on Page 28, the fingertip can be moved in the aperture **forward** in a **parallel direction** to the

surface to **move** the mouse **forward**, and **at the same time**, *“the fingertip can be moved **tangentially** in the aperture to **move the mouse forward** >even< without the resistive endpoint of aperture, simply by moving in the **down forward direction**.”*

The Examiner will appreciate that by the **tangential** fingertip movement or *simply by moving the fingertip in the **down forward direction*** over Adler's cover/button, which tapers downwardly, a force needed for mouse moving **forward cannot** be physically applied to the **angled forward** surface of the button/cover in order to move the mouse forward **just by the fingertip movement forward, as claimed by Applicant**.

In a view of the MPEP §2144.03 (c) and the above submitted illustration Applicant would appreciate if the Examiner could indentify a structure in the Adler reference and drawings, which could resist the **fingertip movements forward** in order to provide the required support for the rejections.

To move the mouse **just** by the fingertip movement forward, **as claimed by Applicant**, the Examiner **suggests** using of the edge of Adler's aperture; this is **closely** elevated above the button at the **minimized height** and **must** be **not** in direct **contact** with the **fingertip**.

To contact the edge of the aperture with the fingertip in order to apply the force for mouse moving forward one of skill must **first** overcome the **clearance around the fingertip and edge** by moving of their fingertip **tangentially** to the upper surface of the pad 49 in the combined down-forward motion.

Contrary to the Examiner's statement given in the current Office Action on Page 28 "... >mouse< movement could still be actuated, as well as button actuation, without the resistive endpoint of aperture, simply by moving in the down forward direction." this **tangential** fingertip movement within the **clearance**, which **must** be provided between the fingertip and the edge of the aperture, i.e. against **nothing**, will **affect nothing; neither** mouse button actuating **nor** mouse movement forward.

In contrast to Adler, by the **same tangential** fingertip movement against Applicant's mould, which is **fitted tightly** around the shape of a fingertip, the button will be **already actuated without actuating mouse movement**.

Further, once contacted the edge of the aperture with the fingertip one of skill can **neither actuate the button**, because the edge being placed under the fingertip will hinder depressing the button, **nor move the mouse forward by the fingertip**, because the edge is still **bellow** the trajectory of fingertip movements forward, as **it can be clearly seen in the above submitted illustration**.

With respect to the MPEP §2143.01 (II) the Examiner would appreciate that the intended use of the edge of the aperture for mouse moving is **conflicting** with the **primary** function of the aperture in the cover.

This means that the Examiner's suggestion to **use the edge** of the aperture in the Adler disclosure for mouse moving **seems to make the mouse inoperable** for the use because the contacting of the edge with the fingertip will hinder the finger movement through the aperture by button actuating.

In contrast to Adler's cover/aperture, Applicant's mould being **formed or attached on the button** allows **button actuating** without actuating mouse movement by a force applied **tangential** to the upper surface of the button by the fingertip, when stroking by the fingertip the upper surface of the button in the combined down-forward motion **against** the mould, and **at the same time** allows the user to **move** securely the mouse without button actuating in the **forward** direction just by **moving of one finger forward**.

Thus, as discussed above and shown in the submitted illustration, Adler does **not** teach, suggest, or motivate any structure, which could enable the user to **move** securely the mouse just by moving of **one** finger forward **or actuate** the button by the **tangential** fingertip movement directed along the straight line, which touches the upper surface of the button but does not cross it; therefore, the Examiner's rejections of Claims 1, 2, and 29, it is respectfully submitted, are improper.

Claims 3-25 and 27-30, which depend directly or indirectly in Claims 1 and 2 are patentable for the reasons advanced for Claims 1 and 2.

Applicant submits that the claims as presently submitted very clearly cannot be remotely disclosed, taught, or suggested in the cited Adler reference (or in combination with any other reference cited or identified by the Examiner).

For the reasons discussed herein, Applicant respectfully contends that the Examiner's rejections were improper and respectfully request that the present claims be passed to issuance.

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Respectfully Submitted,

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